

EXHIBIT 5

IN THE UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

IN RE: BAIR HUGGER FORCED AIR
WARMING PRODUCT LIABILITY
LITIGATION

MDL No.: 15-md-02666 (JNE/FLN)

This Document Relates To:

JOHN PETITTA
Plaintiff,
vs.

Civil Action No.: 16-cv03878-JNE-FLN

3M COMPANY, a Delaware corporation,
Defendant.

STIPULATION OF DISMISSAL WITH PREJUDICE

IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned parties, pursuant to Fed. R. Civ. P. 41(a)(1)(A)(ii), that the above-captioned case be dismissed with prejudice, each party to bear its own costs.

IT IS SO STIPULATED:

DATED: April 5, 2017

Levin, Papantonio, Thomas, Mitchell,
Rafferty & Proctor P.A.

By: /s/ Daniel A. Nigh
Daniel A. Nigh (FL #030905)
316 S. Baylen Street, Suite 600
Pensacola, Florida 32502-5996
Phone (850) 435-7000
Email: dnigh@levinlaw.com

Attorneys for Plaintiff

DATED: April 5, 2017

BALCKWELL BURKE, P.A.

/s/ Mary S. Young

Jerry W. Blackwell (#186867)

Benjamin W. Hulse (#0390952)

Mary S. Young (#0392781)

BLACKWELL BURKE P.A.

431 South Seventh Street

Suite 2500

Minneapolis, MN 55415

(612) 343-3200

blackwell@blackwellburke.com

bhulse@blackwellburke.com

myoung@blackwellburke.com

*Attorneys for 3M Company, Arizant
Healthcare, Inc., and Robert Presteria*